

REMARKS

The foregoing amendments and the following remarks are responsive to the Office Action mailed April 8, 2004. Applicants respectfully request reconsideration of the present application.

Claims 1-63 are pending. Claims 5-7, 14-16, 30-32, 39-41, and 56-57 are withdrawn, as being directed to an unelected species of the claimed invention. Therefore, claims 1-4, 8-13, 17-29, 33-38, 42-55, and 58-63 are presented for examination.

The Examiner required an election/restriction, categorizing the claims as follows:

- I) Claims 2-4, 8-13, 17-25, 27-29, 33-38, 42-50, 52-55, and 58-63 relate to uploading and transmitting digital image.
- II) Claims 5-7 and 30-32 and 56-57 relate to dropping data call and establishing another data call, resuming transmission of digital image without retransmitting the entire digital image.
- III) Claims 14-16, 39-41 relate to logging information characterizing each data call, thereby providing information supporting per-image or time-base billing.

Claims 1, 26, and 51 were considered generic.

Applicants elect claim group I, directed to uploading and transmitting a digital image. However, Applicants respectfully submit that claims 1, 26, and 51 are generic, and allowable. Therefore, Applicants respectfully request the allowance of all claims.

In view of the foregoing amendments and remarks, Applicants respectfully submit that all pending claims are in condition for allowance. Such allowance is respectfully requested.


If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to contact Judith A. Szepesi at (408) 720-8300.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

Date:

7/8/04



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